

Message Text

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ACTION IO-14

INFO OCT-01 EUR-25 ISO-00 AF-10 ARA-16 EA-11 NEA-10 RSC-01

CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-10

PA-03 PRS-01 SPC-03 SS-15 USIA-15 ACDA-19 EB-11

MBFR-04 CU-04 DRC-01 /197 W
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FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC 2428

INFO AMEMBASSY BONN

USMISSION GENEVA

AMEMBASSY LONDON

USMISSION NATO

AMEMBASSY PARIS

USMISSION USUN

C O N F I D E N T I A L MOSCOW 11751

E.O. 11652: GDS

TAGS: PFOR, UR

SUBJECT: SOVIETS RATIFY TWO HUMAN RIGHTS COVENANTS

GENEVA FOR USDEL CSCE

REF: USUN 3410

1. WE WISH TO DRAW ATTENTION TO ANNOUNCEMENT BY GROMYKO IN UNGA SPEECH THAT USSR HAD RATIFIED INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS AND INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS. HE COMMENTED THAT BOTH PACTS PROVIDE FOR FULL CONCRETE OBLIGATIONS ON PARTICIPATING STATES AND ARE NOT SIMPLY WISHES OR RECOMMENDATIONS OF A DECLARATIVE NATURE. HE URGED STATES WHICH HAVE NOT YET SIGNED OR RATIFIED TO "FOLLOW OUR EXAMPLE" SO THAT THEY CAN ENTER INTO
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FORCE AS SOON AS POSSIBLE.

2. PRAVDA SEPTEMBER 26 CARRIED SHORT NEWS ITEM STATING THAT SUPREME SOVIET PRESIDUM HAD RATIFIED TWO COVENANTS.

3. WE NOTE THAT ARTICLE 12 OF COVENANT ON CIVIL AND POLITICAL RIGHTS PROVIDES THAT "EVERYONE SHALL BE FREE TO LEAVE ANY COUNTRY, INCLUDING HIS OWN." (ARTICLE THEN GOES ON THAT THIS RIGHT IS SUBJECT, INTER ALIA, TO RESTRICTIONS NECESSARY TO PROTECT NATIONAL SECURITY AND PUBLIC ORDER.)

4. ON ONE LEVEL, SOVIET RATIFICATION IS OBVIOUSLY PART OF PUBLIC RELATIONS CAMPAIGN TO COUNTER CRITICISM AT CSCE AND ELSEWHERE ON ISSUES OF HUMAN RIGHTS AND CONTACTS. CAVEATS IN ARTICLE 12 ARE PROBABLY AMPLE TO PERMIT SOVIETS TO CONTINUE TO DO AS THEY LIKE ON EMIGRATION QUESTIONS EVEN AFTER COVENANT ENTERS INTO FORCE.

5. IT IS POSSIBLE, HOWEVER, THAT SOVIET RATIFICATION ACTION -- DELAYED OVER FIVE YEARS -- IS ALSO MEANT FOR A DOMESTIC CONSTITUENCY WHICH HAS BEEN RELUCTANT TO RELAX EMIGRATION RESTRICTIONS. IN THIS CONNECTION WE ARE STRUCK BY GROMYKO'S FORCEFUL LANGUAGE TO EFFECT THAT COVENANT IS NOT JUST A PIECE OF PAPER. WE SEE NO INCONSISTENCY BETWEEN GROMYKO'S HARSH REMARKS EARLIER IN THE SPEECH ABOUT NONINTERFERENCE IN SOVIET INTERNAL AFFAIRS (WITH PARTICULAR REFERENCE TO EMIGRATION) AND FURTHER SOVIET MOVEMENT ON THIS QUESTION.

INDEED, IF SOVIETS ARE SERIOUSLY CONSIDERING SUCH MOVEMENT, THEY WOULD BE ESPECIALLY CONCERNED TO EMPHASIZE THAT THEY ARE NOT BOWING TO FOREIGN DICTATION.

6. EMBASSY WOULD APPRECIATE ANY BACKGROUND DEPARTMENT CAN PROVIDE ON TWO COVENANTS, INCLUDING U.S. POSITION. DUBS

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